

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO

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DEVIN D. HOWARD,

Plaintiff,

v.

JAMIE ONION, et al.,

Defendants.

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CASE NO. 1:20-cv-02802

ORDER

JAMES S. GWIN, UNITED STATES DISTRICT COURT JUDGE:

Defendants have filed a motion for summary judgment. The motion is filed on behalf of all Defendants, including Defendant City of Willoughby Hills. However, the motion addresses only Plaintiff Devin Howard's Section 1983 claims, which are raised exclusively against the individual officer defendants. Against Defendant City of Willoughby Hills, Plaintiff only makes a claim for conversion.<sup>1</sup>

In its review of the record before it, the Court finds that the Willoughby Hills conversion claim may be subject to summary judgment based on immunity under Ohio Revised Code § 2744.02. Defendant City of Willoughby Hills does not address the conversion claim at all.

But because Willoughby Hills may be immune to the conversion claim, and in the interest of efficiency, the Court **ORDERS** the parties to file briefs and any accompanying evidentiary materials addressing whether the Court should grant summary judgment in favor of the City on the conversion claim because it is immune from liability.

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<sup>1</sup> See *Howard v. Onion*, No. 21-3515, 2022 WL 2065950, at \*3 (6th Cir. May 17, 2022).

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The briefs must be no longer than **seven (7) pages** and must be filed, along with any evidentiary materials, within **fourteen (14) days** of this Order. The briefs and evidence must address only the conversion and immunity issues.

IT IS SO ORDERED.

Dated: September 11, 2023

s/ *James S. Gwin*  
JAMES S. GWIN  
UNITED STATES DISTRICT JUDGE